

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. 94-031

SITE CLEANUP REQUIREMENTS FOR:

PENINSULA SPORTSMEN'S CLUB, INC.; and CITY AND COUNTY OF SAN FRANCISCO
MENLO PARK, SAN MATEO COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. **Site Description** - The Peninsula Sportsmen's Club (hereinafter called the Discharger) is located in the City of Menlo Park, south of the Dumbarton Bridge, on the west side of San Francisco Bay (see Figure 1) on about 33 acres of land, which is leased from the Water Department of the City and County of San Francisco. The club maintains eight separate shooting ranges for trap and skeet, where shotguns are used to shoot lead pellets at clay targets (see Figure 2). In addition, there is an area for sporting clay shooting, which simulates hunting situations. Peninsula Sportsmen's Club, Inc. is primarily responsible for this discharge. The City and County of San Francisco is secondarily responsible for purposes of this Order, and is hereinafter called the Secondarily Responsible Discharger.
2. **Site History** - The Discharger has operated the ranges since about 1967. The ranges are currently in operation several days a week.
3. **Sources of Pollution** - The lead pellets from the shotguns are discharged in a northerly direction and some are deposited into a salt pond that is owned by Cargill. The pond is about 225 to 300 feet from the shooting positions. The pellets can land a considerable distance, about 300 to 400 feet, from the shooting positions. The ranges, but not the salt pond, have been mined to recover the lead. There is also a small amount of wetland within the trap and skeet ranges.

The sporting clays area has blinds and other various structures from which the shooter shoots at the clay targets. The lead pellets from this area have landed in a marsh with a slough flowing through it.

4. **Environmental Concerns** - The two primary areas of concern are lead and clay target deposition. The potential effects of lead from shotgun clubs are well documented. Direct ingestion of lead pellets may cause waterfowl deaths. In the area in or near the salt pond and the marsh, dabbling birds may be at special risk. In both fresh and marine water, lead becomes available to biota through the transformation process of oxidation. Clay targets contain asphaltene, which in turn can contain

polynuclear aromatic hydrocarbons. Certain types of these hydrocarbons are classified as carcinogenic.

5. **Scope of this Order** - This Order contains tasks that require the Discharger to: 1) cease the deposition of lead into the salt pond, the marsh or other wetland within the ranges; 2) define the extent of lead pollution in the salt pond, the marsh and other wetland within the ranges; 3) determine the degree to which the lead is biologically available; 4) to the extent necessary, develop a remedial action plan to cleanup or manage the lead pollution; and 5) implement the remedial action plan, if necessary.
6. On October 28, 1968, the State Board adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in California." This policy calls for maintaining the existing high quality of State waters unless it is demonstrated that any change would be consistent with the maximum public benefit and not unreasonably affect beneficial uses.
7. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on September 16, 1992. The Basin Plan contains water quality objectives and beneficial uses for the salt pond and the marsh.
8. The existing and potential beneficial uses of the salt pond include:
 - a. Wildlife habitat
 - b. Preservation of rare and endangered species
 - c. Marsh
9. The existing and potential beneficial uses of the marsh at the sporting clays area include:
 - a. Non-contact water recreation
 - b. Wildlife habitat
 - c. Preservation of rare and endangered species
 - d. Marsh
10. The Discharger has caused or permitted, or threatens to cause or permit, lead pellets and clay targets to be discharged or deposited where they are or probably will be discharged to the salt pond, the marsh or other wetland, and creates, or threatens to create, a condition of pollution or nuisance.

11. This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.
12. The Board has notified the Discharger and interested agencies and persons of its intent under California Water Code Section 13304 to prescribe Site Cleanup Requirements for the discharge, or threatened discharge, and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.
13. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the Discharger shall cleanup and abate the effects described in the above findings as follows:

A. PROHIBITION

1. The discharge of wastes or hazardous materials in a manner which will degrade, or threaten to degrade, water quality or adversely affect, or threaten to adversely affect, the beneficial uses of the salt pond, the marsh or other wetland within the ranges is prohibited. Specifically, the discharge or deposition of lead pellets into the salt pond, the marsh or other wetland within the ranges is prohibited.

B. PROVISIONS

1. The Discharger shall perform all investigation and cleanup work in accordance with the requirements of this Order. All technical reports submitted in compliance with this Order shall be satisfactory to the Executive Officer, and, if necessary, the Discharger may be required to submit additional information.
2. To comply with all Prohibitions of this Order, the Discharger shall meet the following compliance task and time schedule. Within sixty (60) days of the Executive Officer's determination and actual notice to the Secondarily Responsible Discharger that the Discharger has failed to comply with this Order, the Secondarily Responsible Discharger, as landowner of the property where the shooting ranges are located, shall itself then be responsible for

complying with this Order under a time schedule revised by the Executive Officer to reflect the status of task completion at the time of compliance failure.

COMPLIANCE DATE AND TASKS

a. **COMPLIANCE DATE: April 1, 1994**

WORKPLAN FOR IMPLEMENTATION OF LEAD BAN: Submit a workplan acceptable to the Executive Officer containing a proposal, including a time schedule, for implementation of a ban on lead pellets and methods for enforcing this ban.

b. **COMPLIANCE DATE: November 1, 1994**

CESSATION OF LEAD DEPOSITION: Discharger is prohibited from depositing lead pellets into the salt pond, the marsh or other wetland within the ranges.

c. **COMPLIANCE DATE: May 2, 1994**

WORKPLAN FOR ALTERNATIVES TO CLAY TARGETS THAT CONTAIN ASPHALT: Submit a workplan acceptable to the Executive Officer containing a proposal, including a time schedule, to investigate the use of alternatives to clay targets that contain asphalt. This workplan will not be necessary if the Discharger submits a letter acceptable to the Executive Officer stating that the use of shotguns is permanently banned at the club.

d. **COMPLIANCE DATE: August 1, 1994**

WORKPLAN FOR SEDIMENT POLLUTION

CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer containing a proposal, including a time schedule, to define the horizontal and vertical extent of lead concentrations in the sediment in the salt pond, the marsh or other wetland within the ranges, including both pellet and finely divided forms.

e. **COMPLIANCE DATE: To be established by Executive Officer based on proposal submitted pursuant to Provision 2.d.**

COMPLETION OF SEDIMENT CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer documenting completion of the necessary tasks identified in the technical report acceptable for Provision 2.d.

- f. **COMPLIANCE DATE: August 1, 1994**

WORKPLAN FOR BIOLOGICAL CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer containing a proposal, including a time schedule, to characterize the biology in the salt pond, the marsh and other wetland within the ranges where the lead has been deposited, and determine whether the lead has become biologically available and is affecting, or can potentially affect, plants or animals. A remedial action plan acceptable to the Executive Officer may be submitted in lieu of this workplan for biological characterization.

- g. **COMPLIANCE DATE: To be established by Executive Officer based on proposal submitted pursuant to Provision 2.f.**

COMPLETION OF BIOLOGICAL CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer documenting completion of the necessary tasks identified in the technical report acceptable for Provision 2.f.

- h. **COMPLIANCE DATE: To be established by Executive Officer based on reports submitted pursuant to Provisions 2.d. and 2.g.**

REMEDIAL ACTION PLAN: Submit a technical report acceptable to the Executive Officer containing a remedial action plan and an implementation time schedule. This report shall evaluate the need for removal and/or management (for example, periodic monitoring) of lead deposits in the salt pond, the marsh or other wetland within the ranges. Remedial action evaluation shall consider pellet and sediment lead concentrations, and shall be based on biological data, the sediment characterization, and other available information.

- i. **COMPLIANCE DATE: To be established by Executive Officer based on proposal submitted pursuant to Provision 2.h.**

COMPLETION OF REMEDIAL ACTION: Submit a technical report acceptable to the Executive Officer documenting the completion of the necessary tasks identified in the technical report acceptable for Provision 2.h.

3. If the Discharger is delayed, interrupted or prevented from meeting one or more of the compliance dates specified in this Order, the Discharger shall promptly notify the Executive Officer, and the Board may consider revision to this Order.
4. The Discharger shall file a report with the Board at least 30 days in advance of any changes in occupancy or ownership associated with the Site described in this Order.
5. The Board will review this Order periodically and may revise the requirements or compliance schedule when necessary.

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region, on February 16, 1994.



Steven R. Ritchie
Executive Officer

Attachments: Figure 1 — Location Map
Figure 2 — Site Map



